

AMENDMENT TRANSMITTAL LETTER (Small Entity)

Applicant(s): Reynolds E. Moulton III

Docket No.

21548/5

Application No.
10/772,073Filing Date
February 4, 2004Examiner
Son T. NguyenCustomer No.
21710Group Art Unit
3643Confirmation No.
4526

Invention: A SELF-PROPELLED PET TOY

COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

- Applicant claims small entity status. See 37 CFR 1.27

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	41 -	47 =	0	x \$25.00	\$0.00
INDEP. CLAIMS	4 -	5 =	0	x \$100.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- No additional fee is required for amendment.
- Please charge Deposit Account No. _____ in the amount of _____
- A check in the amount of _____ to cover the filing fee is enclosed.
- The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 500369
- Any additional filing fees required under 37 C.F.R. 1.16.
 - Any patent application processing fees under 37 CFR 1.17.
- Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Signature

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Dated: April 13, 2006

I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on April 13, 2006.

(Date)

 Signature of Person Mailing Correspondence

Christine M. Citro

Typed or Printed Name of Person Mailing Correspondence

cc:



PATENT

Attorney Docket No.: 21548/5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Reynolds E. Moulton, III EXAMINER: Son T. Nguyen
SERIAL NO.: 10/772,073 GROUP ART UNIT: 3643
FILING DATE: February 4, 2004 CONFIRMATION NO. 4526
FOR: SELF-PROPELLED PET TOY

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

By: _____

Christine M. Citro

Date

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT UNDER 35 U.S.C. 121

Sir:

In the Restriction Requirement, dated March 16, 2006, Applicant was required to elect a single invention for prosecution on the merits from one of the following groups:

Group I: Claims 1-31, 38-47, drawn to a pet toy, classified in class 119, subclass 711.

Group II: Claims 32-37, drawn to a method of providing a pet toy, classified in class 119, subclass 707.

In response thereto, Applicant herein elects the invention in group I without traverse, for further prosecution on the merits.

Attorney Docket No. 21548/5
Applicant: Reynolds E. Moulton, III
U.S. Serial No. 10/772,073

Additionally, Applicant was required to elect a single species for prosecution on the merits from one of the following groups of Species:

Species I: as claimed in claims 13 and 23.

Species II: as claimed in claims 14 and 24.

In response thereto, Applicant herein elects the claims of Species II without traverse, for further prosecution on the merits.

In view of the foregoing, examination of the elected inventions and species and favorable consideration are respectfully requested.

Although no fee is believed due with this submission, please charge any deficiency or credit any overpayment of any fee(s) to Deposit Account No. 50-0369. Also, in the event any extensions of time for responding are required for the pending application, please treat this paper as a petition to extend the time as required and charge Deposit Account No. 50-0369.

Respectfully submitted,

Brown Rudnick Berlack Israels LLP

Dated: April 13, 2006

By: 

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